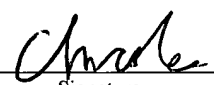


EFW

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| CERTIFICATE OF MAILING BY "U.S. CERTIFIED MAIL" UNDER 37 C.F.R. 1.8 | |
| CERTIFIED MAIL" Mailing Label Number: <u>7005 1160 0005 1644 1900</u> | Date of Deposit: <u>11/10/05</u> |
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| Name: <u>Chris Vo</u> |  |
| <u>11/10/05</u> | Signature |
| Signature | Date |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|----------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| In re Application of: Gunn III, et al | Attorney Docket No. LUX-P021 |
| Serial No.: 10/776,438 | Examiner: Blevins, Jerry M. |
| Filed: 2/10/2004 | Art Unit: 2883 |
| For: Optical Waveguide Grating Coupler Incorporating Reflective Optical Elements and Anti-Reflection Elements | |

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL LETTER

Dear Sir:

1. **TRANSMITTED DOCUMENTS:** the following documents relating to the above-identified patent application are being transmitted herewith.

- X a. An Amendment for this application: 18 pages.
- ___ b. Substituted Drawings: _____ sheets.
- ___ c. A Petition For Extension of Time For Response under 37 CFR 1.136(a) incorporated herein.
- ___ d. An Information Disclosure Statement under 37 CFR ___ 1.97(b) X 1.97(c)
- X e. A stamped, self-addressed, return postcard.
- ___ f. A Check (# _____) for \$ _____ to cover required fees of this correspondence.

2. **APPLICANT FILING STATUS:**

- ___ a. Applicant is a Large Entity.
- X b. Applicant is a Small Entity.

3. **EXTENSION OF TIME:**

- ___ a. Applicant petitions for an extension of time under 37 C.F. R. 1.136 for the total number of _____ months checked below (fees pursuant to 37 C.F.R. 1.17(a)-(d).

| <u>Extension of Time</u> | <u>Large Entity Fee</u> | <u>Small Entity Fee</u> |
|--------------------------|-------------------------|-------------------------|
| i. One (1) month . | ___ \$ 120.00 | ___ \$ 60.00 |
| ii. Two (2) month . | ___ \$ 450.00 | ___ \$ 225.00 |
| iii. Three (3) month . | ___ \$1,020.00 | ___ \$ 510.00 |
| iv. Four (4) month . | ___ \$ 1,590.00 | ___ \$ 795.00 |
| v. Five (5) month . | ___ \$ 2,160.00 | ___ \$ 1080.00 |

Extension Time Fee Total: .00

- X b. Applicant believes that no extension of time is required. However, this conditional petition is being made in case Applicant has inadvertently overlooked the need for a petition for extension of time, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

4. FEE CALCULATION:

The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| Fee Items | Claims Remaining After Amendment | Highest Number of Claims Previously Paid | Present Extra Claims | Fee Rate | Total |
|----------------------------------------------------------------------------------|----------------------------------|------------------------------------------|----------------------|----------------------------------------------------|--------|
| a. Total Claims | 75 | - 99 = | 0 | x \$ 50.00 Large Entity x \$ 25.00 Small Entity | \$.00 |
| b. Independent Claims | 7 | - 9 = | 0 | x \$200.00 Large Entity x \$100.00 Small Entity | \$.00 |
| c. Multiple Dependent Claims Added By This Amendment | | | | x 360.00 Large Entity x 180.00 Small Entity | |
| d. Extension of Time Fee Total, if any, from above EXTENSION OF TIME section 3a. | | | | | \$.00 |
| e. Additional Fees Required With This Correspondence | | | | | |
| i) 1.17 (p) Fee for Information Disclosure under 1.97(c) | | | | | \$.00 |
| e. Total Fees | | | | | \$.00 |

5. PAYMENT OF FEES

The full fee due in connection with this communication is provided as follows:

_____ The Commissioner is hereby authorized to charge the fees associated with this communication or credit any overpayment to **Deposit Account No: 500482**. A duplicate copy of this authorization is enclosed.

_____ A Check # _____ for \$ _____ for the above specified Total Fee is enclosed. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge the necessary additional amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

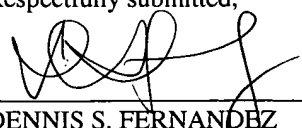
 X Applicant does not believe that any payment of fee is needed in association with this communication. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

Please direct all correspondence concerning the above-identified application to the following address:

CUSTOMER NO: 22877

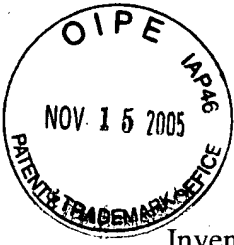
FERNANDEZ & ASSOCIATES, LLP
Patent Attorneys
P.O. BOX D
Menlo Park, CA 94025-6204
Phone: (650) 325-4999
Fax: (650) 325-1203

Respectfully submitted,



DENNIS S. FERNANDEZ
Registration No. 34,160

11/10/05
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Gunn III, et al.

Attorney Docket No.: LUX-P021

Serial No.: 10/776,438

Group Art Unit: 2883

Filed: 02/10/2004

Examiner: Blevins, Jerry M.

Title: Optical Waveguide Grating Coupler Incorporating Reflective Optical Elements and Anti-Reflection Elements

AMENDMENT

Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In Response to the Office Action dated 10/19/2005, the Examiner has stated that Claims 1-99 are subject to restriction or election requirement as follow:

1. Invention I. (Claims 26 and 27), are drawn to method of fabricating a waveguide grating coupler, classified in class 385, subclass 129.
2. Invention II. (Claims 1-25, 28-50, and 73-99), are drawn to an integrated optical apparatus, classified in class 385, subclass 14.
3. Invention III. (Claims 51-72), are drawn to waveguide grating coupler apparatus, classified in class 385, subclass 37.

In response to the Office Action dated October 19, 2005, Applicants hereby elect Claims 1-25, 28-50, and 73-99, corresponding to species Group 2 of Invention II, are drawn to an integrated optical apparatus, classified in class 385, subclass 14. This election is made with traverse.

Please withdraw Claims 25-26, and 51-72 from further prosecution.